IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.M.JOSEPH

THURSDAY, THE 7TH JUNE 2007 / 17TH JYAISHTA 1929

WP(C).No. 16122 of 2007(T)

PETITIONER:

A.M.SHAMSUDEEN, JAWAHIR MANZIL,
NADAYARA P.O., VARKALA, TRIVANDRUM.

BY ADV. SRI.SIBY MATHEW
SRI.PHILIP J.VETTICKATTU

RESPONDENT:

THE VARKALA MUNICIPALITY, VARKALA,
REPRESENTED BY ITS SECRETARY.

BY ADV. SRI.J.S.AJITH KUMAR,SC,VARKALA MUNICIPALITY

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 07/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.M.JOSEPH, J.

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WP.(C) No.16122 of 2007

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Dated this the 7th day of June, 2007

JUDGMENT

I heard learned counsel for the petitioner and learned counsel appearing for the respondent. The prayer in the writ petition is to approve the building permit applied for by the petitioner as evidenced by Ext.P2 and to direct the respondents to consider and pass orders on the application made by the petitioner for the building permit forthwith.

2. Counter affidavit is filed, wherein Ext.R1(b) is produced. By Ext.R1(b) the application of the petitioner is rejected. Learned counsel for the petitioner submits that the writ petition can be closed without prejudice to the right of the petitioner to challenge Ext.R1(b) before the appropriate forum.

The writ petition is closed without prejudice to the right of the petitioner to challenge Ext.R1(b) before the appropriate forum.

(K.M. JOSEPH, JUDGE)

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